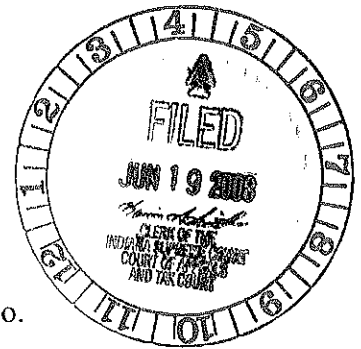


In the
Indiana Supreme Court



Michael HILL,
Appellant,

v.

STATE of Indiana,
Appellee.

) Supreme Court Cause No.
) 49S02-0804-CR-190

) Court of Appeals Cause No.
) 49A02-0701-CR-110

) Marion Superior Court Cause No.
) 49G06-0508-FA-144651

ORDER VACATING
PRIOR ORDER GRANTING TRANSFER

By order dated April 24, 2008, the Court granted a petition seeking transfer of jurisdiction over this appeal from the Court of Appeals to this Court. After further review, including oral argument, the Court has determined that transfer was improvidently granted. Accordingly, the April 24 order granting transfer is VACATED and transfer is DENIED. The Court of Appeals Memorandum Decision, Hill v. State, 875 N.E.2d 825 (table), No. 49A02-0701-CR-110, slip op. (Ind. Ct. App. Oct. 23, 2007), is no longer vacated under Appellate Rule 58(A).

This appeal is at an end. The Court DIRECTS the Clerk to certify this appeal as final and to send copies of this order to the Marion Superior Court; Hon. John G. Baker, Chief Judge, Indiana Court of Appeals; the Hon. Jane Magnus-Stinson; Steve Lancaster, Court of Appeals Administrator; all counsel of record; and to LexisNexis and to West Group.

Done at Indianapolis, Indiana, this 19th day of June, 2008.

FOR THE COURT

Randall T. Shepard
Randall T. Shepard
Chief Justice of Indiana

All Justices concur, except Shepard, C.J., and Dickson, J., who believe transfer was properly granted.